

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**DORCUS WITHERS,**

Plaintiff,

v.

**LT. EVOLLI and KIMBERLY BUTLER,**

Defendants.

Case No. **3:14-cv-1282-NJR-DGW**

**ORDER**

On December 9, 2014, this Court issued a Report and Recommendation (Doc. 18) on Plaintiff's request for injunctive relief related to alleged assaults committed by Defendant Evolli. This Court recommended that Plaintiff's motion be denied; in doing so, this Court noted that: "There is no indication in the record that Plaintiff is likely to have further contact with Evolli and there is no evidence that any other correctional officer has threatened to assault Plaintiff." Since that time, Plaintiff has filed an objection (Doc. 22) and a Motion (Doc. 25) in which he asserts that he is again being subjected to assaults by Defendant Evolli. Plaintiff provides the dates of these alleged assaults and significant detail about the circumstances. Plaintiff notes that there are surveillance cameras which may have recorded his contact with Defendant Evolli and that others were present during these encounters.

In light of the new assertions made by Plaintiff, this matter is **SET** for an in person hearing on Plaintiff's claim for injunctive relief to occur on **February 6, 2015 at 11:00 a.m.** in the Federal Courthouse in East St. Louis, Illinois before the undersigned. Plaintiff shall appear by videoconference. Defendants should be prepared to address the *specific* assertions made in Plaintiff's filings and should be prepared to address each of Plaintiff's claims that he was assaulted by Defendant on specific dates. If there is a video-recording of the events described in Plaintiff's

filings (Docs. 5, 22, and 25) that is available, Defendants shall provide such recordings to the Court for *in camera* inspection, or indicate that no such recordings exist, by February 5, 2015.

**IT IS SO ORDERED.**

**DATED: January 23, 2015**



**DONALD G. WILKERSON**  
**United States Magistrate Judge**